

2. General

No land or building devoted to uses authorized by this Title shall be used or occupied in any manner so as to create dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazards; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, glare, electrical, or other disturbance; liquid or solid refuse or water; or other substance, condition, or element in such a manner or in such an amount as to affect adversely the surrounding area or adjoining premises. The foregoing are hereinafter referred to as “dangerous or objectionable elements.”

a. State Agency Notification

The Juab County Zoning Administrator shall confirm that the Environmental Health Services Section of the State Board of Health is informed of all applicants for uses authorized by this .

b. Performance Standards Review

In addition to meeting other application requirements, applicants seeking approval for a light or medium industrial use shall include in the application a description of the proposed machinery, products, and processes to be located at the development. If, in its opinion, the proposed use may cause the emission of dangerous or objectionable elements, the Planning Commission may refer the application for investigation and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in Section 3 of this . Such consultant shall report as promptly as possible. A copy of such report shall be promptly furnished to the applicant. The cost of such expert report shall be borne by the applicant.

c. Ruling by Planning Commission

Within 20 days after the Commission has received the aforesaid application or report, if a report was required, or within such period as agreed to by the applicant, the Commission shall determine whether reasonable measures are being employed to assure compliance with the applicable performance standards. On such basis, the Commission may require a modification of the proposed plans, construction specifications, device or operation, and shall so inform the Building Inspector.

d. Continued Compliance

Any use so authorized shall not relieve the applicant of the responsibility of meeting such standards when the plant is in operation; and, in case of a failure to perform in accordance with the standards, whatever additional devices or modifications in process shall be necessary to achieve full compliance with the standards shall be the sole responsibility of the applicant. These standards shall be established as conditions for approval of the proposed development.

e. Continued Enforcement

The Administrator shall investigate any purported violation of performance standards; and, if necessary for such investigation, may request that the

Planning Commission employ qualified experts. If, after public hearing and due notice, the Planning Commission finds that a violation has existed or does exist, it shall order the Administrator to serve notice that compliance with the performance standards must be achieved within a specified period of time or the plant will be shut down. Should the violation of performance standards threaten the public health, convenience, or welfare, the Planning Commission may order the offending plant to cease operation until proper steps are taken to correct the conditions which caused the violation. The services of any qualified experts, employed by the Planning Commission to advise in establishing a violation, shall be paid by the violator if said violation is established, otherwise it shall be paid by the County.

f. Locations Where Determinations Are To Be Made for Enforcement of Performance Standards

The determination of the existence of dangerous and objectionable elements shall be made at any point; provided, however, that the measurements having to do with noise, vibration, odors, or glare, shall be taken at the lot line of the establishment or use.